

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Waymouth Farms, Inc.,

Plaintiff,

v.

Civ. No. 05-1505 (JNE/SRN)  
ORDER

Raisin Valley Farms, LLC, Raisin Valley  
Farms Marketing, LLC, and Marvin and  
Laura Horne d/b/a Raisin Valley Farms,

Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable Susan Richard Nelson, United States Magistrate Judge, on March 16, 2006. The magistrate judge recommended that Defendants' Motion to Dismiss be denied. Defendants objected to the Report and Recommendation, and Plaintiff responded. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Defendants' Motion to Dismiss [Docket No. 8] is DENIED.

Dated: April 17, 2006

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge